

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE

IN THE MATTER OF:)	
MARLON DALE HARGIS)	
SSN:xxx-xx-3160)	
VICKIE DARLENE HARGIS)	
SSN xxx-xx-6986)	
)	
Debtor(s).)	
)	
)	
MARLON DALE HARGIS)	BK Case No. 3:12-bk-01450
VICKIE DARLENE HARGIS)	Chapter 13
Plaintiffs,)	
v.)	ADV CASE NO.: 13-90141
)	
WELLS FARGO DELAWARE TRUST)	Judge Harrison
COMPANY, N.A. (PAYEE VERICREST)	
FINANCIAL INC.))	
Defendant.)	

AGREED ORDER SETTING ASIDE ORDER DISALLOWING CLAIM
AND DISMISSING ADVERSARY PROCEEDING

This matter was scheduled to be heard on October 9, 2013 upon the parties' cross Motions for Summary Judgment, if filed, or trial. In its pre-trial Order, the Court consolidated the Defendant's Motion to Reconsider the Disallowance of Proof of Claim # 7, and the debtors' Adversary Proceeding attempting to strip the creditor's lien from the property;

On September 5, 2013, subsequent to the disallowance of its Proof of Claim, the claim was amended or otherwise supplemented to address the ground(s) in the Trustee's original motion to disallow. Based on the amendment and/or supplement, the Trustee, by his electronic signature below, indicates consent to set aside the disallowance of Proof of Claim # 7 and allow the same to be paid pursuant to the Confirmation Order;

R&L: 5993

ORDERED, the Creditor's Motion to Set Aside the Disallowance of Proof of Claim # 7 is granted;

ORDERED that the Creditor shall pay the Debtor \$ 500.00 for attorney's fee and/or expenses;

ORDERED, the above-referenced Adversary Proceeding is dismissed; and,

ORDERED, that the creditor and any servicer for such creditor are prohibited and forever barred from assessing any fees, costs, or set-off amounts against the debtor or against the property that serves as collateral for its loan in connection with the motion resolved by this agreed order.

THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED AT THE TOP OF THE FIRST PAGE.

APPROVED BY:

/s/ Henry E. Hildebrand, III

Digitally signed by /s/ Henry E. Hildebrand, III
DN: cn=/s/ Henry E. Hildebrand, III, o=Office of the Chapter 13
Trustee, ou=Chapter 13 Trustee, email=pleadings@ch13nsh.com,
c=US
Date: 2013.09.24 15:55:57 -05'00'

Henry E. Hildebrand, III
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/s/ James Roberts
James D. R. Roberts, Reg. No. 017537
Janet L. Layman, Reg. No. 021569
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R&L: 5993

/s/ Charles W. Faquin.
Charles W. Faquin
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Attorney for the Debtor

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been sent electronically to the attorney for the debtor(s)'s attorney, Charles W. Faquin, Attorney at Law, 346 21st Avenue North, Nashville, Tennessee 37203-1848, and Trustee, Henry E. Hildebrand, III, Post Office Box P.O. Box 340019, Nashville, TN 37203-0019, and the U.S. Trustee, at 318 Customs House, 701 Broadway, Nashville, TN 37203 on this the 24th day of September 2013.

/s/ James Roberts.
James D. R. Roberts
Janet L. Layman

R&L: 5993